

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2021**

**1. Review of the progressive treatment program.** Review the entire process related to a progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A, including, but not limited to, the feasibility of and barriers to filing applications to the District Court by a person authorized to file applications under Title 34-B, section 3873-A, subsection 1; and

**2. Review processes for consistency and efficiency.** Review for consistency and efficiency the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3 and develop recommendations to make the processes more effective and easier to administer in order to reduce the consequences of delayed treatment or lack of treatment. The review must include a review of how the processes are working, the consistency of requirements and implementation of the processes, who is responsible for initiating the processes and who is responsible for payment for representation of the psychiatric hospitals in those processes.

**Sec. 2. Membership of the stakeholder group. Resolved:** That the Commissioner of Health and Human Services shall invite the following members to participate in the stakeholder group under section 1:

1. At least one representative from the Office of the Attorney General;
2. One representative from the Riverview Psychiatric Center;
3. One representative from Northern Light Acadia Hospital;
4. One representative from Spring Harbor Hospital;
5. One representative from the Maine Hospital Association;
6. One representative from Disability Rights Maine;
7. One representative from the Consumer Council System of Maine;
8. At least one individual who is or has been a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
9. One representative from an organization that advocates for family concerns;
10. At least one individual who is a family member of an individual who is or has been a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
11. One individual who is the legal guardian of a patient who is the subject of an application for the progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A;

12. One representative from the Alliance for Addiction and Mental Health Services, Maine;
13. One director of a team providing assertive community treatment;
14. At least one representative from a community provider who administers the treatment plan of a patient admitted to a progressive treatment program;
15. One representative from a private nonmedical institution;
16. One psychiatrist from the Maine Association of Psychiatric Physicians;
17. One psychiatric nurse practitioner from the Maine Nurse Practitioner Association; and
18. One law enforcement officer.

The Commissioner of Health and Human Services shall also invite the participation of at least one representative of the Judicial Department.

**Sec. 3. Report. Resolved:** That the Commissioner of Health and Human Services shall present the findings and recommendations of the stakeholder group based on the reviews pursuant to section 1 to the Joint Standing Committee on Health and Human Services no later than December 1, 2021. The committee may report out legislation to the Second Regular Session of the 130th Legislature related to the recommendations of the report.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 15, 2021.

**CHAPTER 61**

**H.P. 1004 - L.D. 1370**

**Resolve, Directing the Department of Transportation To Develop and Adopt an Active Transportation Plan**

**Sec. 1. Active transportation plan. Resolved:** That the Department of Transportation shall develop and adopt an active transportation plan, consistent with the department's comprehensive long-range planning, to serve as a prioritization framework for the development of trails for multimodal uses and other active transportation infrastructure of regional significance. For the purposes of this section, "active transportation" means any mode of transportation that is partially or wholly propelled by human power.

**Sec. 2. Rail corridor evaluation. Resolved:** That the Department of Transportation shall use the active transportation plan developed under section 1 to evaluate reasonable potential uses of state-owned rail

corridors over which there are no ongoing rail operations or contracts or agreements providing for operational rights. An evaluation conducted under this section must include the likelihood, benefits and costs of foreseeable restoration of the rail corridor for rail use and interim trail use consistent with the requirements of the Maine Revised Statutes, Title 23, chapter 615.

**Sec. 3. Report. Resolved:** That the Department of Transportation shall submit a report containing the active transportation plan developed under section 1 to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 18, 2023.

See title page for effective date.

**CHAPTER 62**

**S.P. 465 - L.D. 1415**

**Resolve, To Direct the Department of Environmental Protection To Determine Staffing Needs To More Efficiently and Effectively Issue Decisions on New, Amendment and Minor Revision Applications**

**Sec. 1. Staffing resources determination. Resolved:** That the Department of Environmental Protection shall determine the staffing resources necessary to efficiently and effectively review new permit applications submitted under the Maine Revised Statutes, Title 38, section 420-D and Title 38, chapter 3, subchapter 1, articles 5-A and 6 and to issue decisions on amendment and minor revision applications submitted under those same laws within timetables that are no longer than those established by the Commissioner of Environmental Protection pursuant to Title 38, section 344-B, subsection 1 for new permit applications submitted under those same laws.

**Sec. 2. Report. Resolved:** That, by November 1, 2021, the Department of Environmental Protection shall submit a report to the Joint Standing Committee on Environment and Natural Resources on the outcome of the staffing resources determination undertaken pursuant to section 1. The committee may report out a bill to the 130th Legislature based on the report.

See title page for effective date.

**CHAPTER 63**

**H.P. 1237 - L.D. 1666**

**Resolve, To Require the Public Utilities Commission To Issue a Request for Information on a Statewide, Multiple-use Online Energy Data Platform**

**Preamble. Whereas,** in order to implement comprehensive energy management and efficiency programs, it is necessary to provide customers and other stakeholders with safe, secure access to information about energy usage in homes, businesses and municipalities; and

**Whereas,** access to energy data is a foundational element for moving the State's natural gas and electric systems to a more efficient paradigm in which empowering customers is a critical element; and

**Whereas,** by enabling the aggregation of and removal of personally identifiable information from community-level energy data and requiring a consent-driven process for access to or sharing of customer-level energy usage data, as proposed by this legislation, the State can open the door to innovative business applications that will save customers money and allow for better use of the electricity grid and other utility services; and

**Whereas,** a multiple-use online energy data platform will enable both the private and the public sectors to plan and implement energy programs including energy efficiency, distributed generation, energy storage and transmission and distribution improvements that will help reduce emissions of greenhouse gases in accordance with emissions reduction goals established in law; and

**Whereas,** implementation of a multiple-use online energy data platform is essential to achieving the greenhouse gas emissions reduction goals established by the State and by municipalities; and

**Whereas,** information about energy usage is currently held by individual utility companies with varying capabilities to share data, directly affecting customer and stakeholder access to quality energy data; and

**Whereas,** a centralized online energy data platform with defined standards regarding aggregation, data privacy and data security will create administrative and operational efficiencies for all customers and stakeholders involved in the energy sector; now, therefore, be it

**Sec. 1. Public Utilities Commission evaluation of statewide, multiple-use online energy data platform. Resolved:** That the Public Utilities Commission shall issue a request for information to evaluate the feasibility of the commission's establishing and operating a statewide, multiple-use online energy